

**Zoning Board of Appeals Minutes
May 26, 2020**

ZBA MEMBERS	ZBA MEMBERS ABSENT	STAFF PRESENT
Jim Racheff- Chair Kenneth Ying Lawrence Aronow Shuan Butcher Steve West Bob Sisson-Alternate Member		Gabrielle Collard, Division Manager of Current Planning Carreanne Eyler, Office Manager Brandon Mark, Division Manager of Comprehensive Planning/Urban Development Rachel Depo, Assistant City Attorney Jessica Murphy, Administrative Assistant Sherry Kelly, Planner II

I. ANNOUNCEMENTS: None

II. GENERAL PUBLIC COMMENT: None

III. APPROVAL OF MINUTES:

Approval of the **April 28, 2020** Zoning Board of Appeals Meeting Minutes as published:

MOTION: Dr. Ying moved for approval of the **April 28, 2020** hearing minutes.

SECOND: Mr. West

VOTE: 4-0

IV. PUBLIC HEARING-SWEARING IN:

“Do you solemnly swear or affirm that the responses given, and statements made in this hearing before the Zoning Board of Appeals will be the whole truth and nothing but the truth.” If so, answer “I do”.

V. CONTINUANCES: None

VI. OLD BUSINESS: None

VII. NEW BUSINESS:

A. ZBA20-348CU, Conditional Use, 1805 Whispering Meadow Court

MOTION: Mr. Butcher moved for approval of the conditional use request for a Small Child Care Center at 1805 Whispering Meadow Court, finding that:

1. The proposed use is in harmony with the Economic Development Element, Policy 1 of the 2010 Comprehensive Plan, which is to support small businesses and entrepreneurs, and the Land Management Code;
2. Based on the documentation provided by the Applicant, the characteristics of the use and its operation on the Property and in relation to adjacent properties will not create any greater adverse impact than the operation of any permitted use not requiring conditional use approval;
3. The proposed use complies with the requirements set forth in Section 811, *Child Day Care Center*, subsection (d) as follows:
 - (1) The Applicant has provided guarantees that the proposed Small Child Care Center will not constitute a nuisance, nor be disruptive to the neighborhood due to the number of children being cared for, noise, traffic, or any other activity associated with the use and that there are no other commercial childcare centers or other Small Child Care Centers within a 500-foot radius of the existing facility proposed for expansion;
 - (2) That the Small Child Care Center will only employ one nonresident and has adequate off-street parking available for the one employee;
 - (3) That the site has sufficient pickup and drop-off areas available;
 - (4) That the number of children cared for at the facility will be limited as a condition of approval to approximately one per 1,000 square feet of lot area;
 - (5) That as a condition of approval, the Applicant must present a childcare licensing certificate and inspection report from the Child Care Administration of the State of Maryland.

With the conditions that:

1. No more than 11 children may be cared for due to the size of the Property, in accordance with Section 811(d)(4);
2. The Applicant provide a childcare licensing certificate and inspection report from the Child Care Administration of the State of Maryland.
3. The Applicant apply for and receive a zoning certificate within two years of the decision by the ZBA in accordance with Section 312(g) of the LMC and that the zoning certificate state that no more than 10 children are permitted.

SECOND: Mr. West

VOTE: 4-0

B. Zoning Board of Appeals Rules of Procedures

The item will be vote on at the next ZBA meeting.

VIII. BOARD BUSINESS: None

IX. ITEMS ADDED TO AGENDA

Zoning Determinations Completed:

- **ZBA20-39ZD, 1014 N. Market Street**

- ZBA20-252ZD, Aquatic Training & Consulting Service
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X. ADJOURNMENT

Meeting adjourned approximately at 8:15 p.m.

Respectfully Submitted,
Jessica Murphy
Administrative Assistant

APPROVED 7/28/2020